

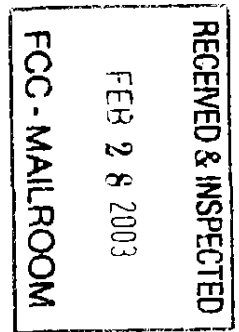


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Federal Communications Commission
Washington, D.C. 20554

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C40203
Imaging letter

February 26, 2003



Dana J. Puopolo
2134 Oak St., Unit C
Santa Monica, CA 90405

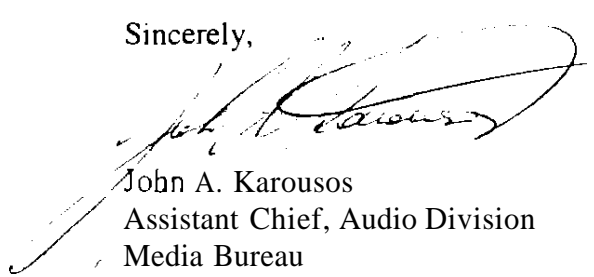
Dear Ms. Puopolo:

This letter is in reference to the Petition for Rule Making that you filed on January 8, 2003, proposing the allotment of Channel **251A** to Kernville, California, as that community's second local aural transmission broadcast service.

Your proposal is unacceptable for consideration at this time. While the requested site, (located atop Sunday Peak) at 35-46-53 NL and 118-34-58 WL, meets **all** spacing requirements in accordance with Section 73.207 of the Commission's Rules, it will not provide the entire community of Kernville with the required 70 dBu city-grade signal service contour pursuant to Section 73.315(a) of the Commission's Rules. Specifically, an engineering analysis indicates that the farthest city boundary point of Kernville from the proposed antenna site is approximately 17.5 kilometers away, but, the 70 dBu signal for a Class A station only extends 16.2 kilometers.

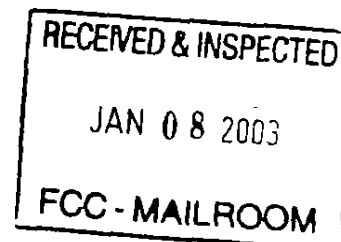
For reasons discussed above, we are returning your Petition for Rule Making. You may refile your petition, provided your proposal is in full compliance with the Commission's Rules.

Sincerely,


John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554



In the matter of)
Amendment of Section 73.202(b),) **MM Docket No.** _____
Table of Allotments)
FM Broadcast Stations) **RM-** _____
(Kemville, California))

PETITION FOR RULEMAKING

To the Chief, Allocations Branch:

1. Dana J. Puopolo ("petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purposes of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated.

2. Petitioner proposes the Commission allot **FM** channel 251A to Kemville, California as its second local **FM** service. This **would** require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Kemville, CA	273A	251A, 273A

3. Kemville is a Census Designated Place located in Southern California. It is located in Kern County. In 1990, the United States Census Bureau estimated Kemville had a population of 1656 persons.

4. **FM** channel 251A can be assigned to Kemville in full compliance with the Commission's minimum distance separation requirements. This is illustrated in Table A below, which lists stations and assignments within 240 kilometers. Coordinates used are N 35:45:53, W 118:34:58 and are located atop Sunday Peak, an 805 meter hill approximately 10 km West of Kemville. This site restriction is necessary to prevent a short spacing with station KRXV, Yermo, CA. Petitioner is confident he can find a suitable transmitter site for this allotment if it is assigned as proposed.

5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 251A if it is assigned to Kemville as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted.

Dana J. Puopolo
2134 Oak St., Unit C
Santa Monica, CA 90405
December 27, 2002

TABLE A

Spacing study for FY channel **251A, Kernville, CA**

<u>Channel</u>	<u>Station</u>	<u>Location</u>	<u>Actual Spacing(Km)</u>	<u>Required Spacing(KM)</u>
2488	KMGQ	Santa Barbara, CA	1a7	69
248B	KSSE	Riverside, CA	216	69
248B	KABX-FM	Merced, CA	244	69
249A	KVVS	Shafter, CA	54	31
249A	KAVS	Mojave, CA	97	31
2508	KMGV	Fresno, CA	162	113
2508	KLAX-FM	East Los Angeles, CA	194	113
251B	KRXV	Yermo, CA	181	178
2518	KKJG	San Luis Obispo, CA	194	178
252A	NEW	Huron, CA	144	72
25281	KDAR	Oxnard, CA	180	96
252A	KRTO	West Covina, CA	196	72
25381	KSMJ	Delano, CA	52	48
2548	KYSR	Los Angeles, CA	185	69
3008	KUZZ-FM	Bakersfield, CA	41	15